



BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

383 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

MEMBERS OF THE BOARD

GLORIA MOLINA
YVONNE BRATHWAITE BURKE
ZEV YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
(213) 974-1411

April 2, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, California 90012

Dear Supervisors:

LOBBYIST ORDINANCE PENALTY ASSESSMENTS (ALL DISTRICTS) (3-VOTE)

IT IS RECOMMENDED THAT YOUR BOARD:

1. In accordance with Section 2.160.150 of the Los Angeles County Code, direct County Counsel to bring civil action against PS Eco, Inc., a registered lobbying firm, in the amount of \$2,000, for its failure to file a quarterly lobbying report for the period of October 1, 2003 through December 31, 2003.
2. In accordance with Section 2.160.150 of the Los Angeles County Code, prohibit PS Eco, Inc. from representing an individual or entity when dealing with any County agency or the Board of Supervisors and to terminate the registration of PS Eco, Inc. until it is in compliance with the lobbyist ordinance.
3. Instruct the Executive Officer to notify PS Eco, Inc. and all County Department and District Heads of your Board's action.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On April 6, 1993 your Board adopted Ordinance No. 93-0031 (Chapter 2.160 of the Los Angeles County Code), the lobbyist ordinance. The ordinance requires that individuals and entities that seek to influence County officials register as lobbying firms or lobbyist employers. The ordinance also requires quarterly reports to be filed by all registrants. The ordinance contains certain penalties for those who fail to adhere to the provisions of the ordinance.

PS Eco, Inc. registered as a lobbying firm on September 18, 1995. The lobbying firm has been notified on three different dates that it must submit a quarterly report for the period of October 1, 2003 through December 31, 2003. PS Eco, Inc. has failed to file its report and pay the \$250 late penalty and \$15 filing fee.

Attached is a chronology of contacts with PS Eco, Inc., including copies of correspondence sent by my office. The lobbying firm has been notified by certified mail that this matter has been placed on your Board's agenda in the event a representative may wish to testify.

FISCAL IMPACT/FINANCING

Total penalties in an amount of up to \$2,000 will partially offset County Counsel's expenses in preparing the suit against PS Eco, Inc. There are no other direct costs associated with this action because court fees are waived for the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Section 2.160.070 of the Los Angeles County Code requires lobbying firms to submit quarterly lobbyist reports at the end of the month following each calendar quarter. PS Eco, Inc. registered as a lobbying firm on September 18, 1995. PS Eco, Inc. was notified on December 19, 2003 that the quarterly report was due on February 2, 2004 covering the period of October 1, 2003 through December 31, 2003. On February 13, 2004, the lobbying firm was notified that the quarterly report had not been filed and a fine of \$250 would be imposed if the required report was not filed by March 1, 2004. On March 8, 2004, the lobbying firm was notified that the \$250 penalty had been imposed and the report and the penalty was required to be filed by March 22, 2004. This latest letter also informed the lobbying firm that it could be subject to a \$2,000 penalty if it failed to comply with reporting requirements. To date, the report has not been filed.

Honorable Board of Supervisors
April 2, 2004
Page 3

In accordance with Section 2.160.150 of the Los Angeles County Code, the Executive Officer has determined that PS Eco, Inc. has violated the ordinance. The ordinance empowers your Board to impose sanctions on any person or entity in violation of the lobbyist ordinance, including but not limited to, directing the County Counsel to file a civil action.

IMPACT ON CURRENT SERVICES

Approval of the action recommended in this letter will have minor impact on the Office of the County Counsel, which will file a civil action against PS Eco, Inc. in the Superior Court.

Respectfully submitted,



VIOLET VARONA-LUKENS
EXECUTIVE OFFICER

Attachments (5)

- c. Chief Administrative Officer
County Counsel



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

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Attachment - A

MEMBERS OF THE BOARD

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VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
(213) 974-1411

December 19, 2003

To: Lobbying Firms
From: John McKibben 
Deputy Executive Officer
Subject: **QUARTERLY LOBBYING REPORTS**

Chapter 2.160 of the Los Angeles County Code, the Los Angeles County lobbyist ordinance, as amended, requires you to file quarterly reports of lobbying activities. The ordinance imposes penalties for failure to file the reports with the Executive Office by the end of the month following the close of the quarter.

This quarter's reports must be signed by the Responsible Officer for your organization and submitted to this office by **Monday, February 2, 2004**. Your quarterly report must cover the period from October 1, 2003 through December 31, 2003. **Even though you may not have had activity this quarter, you must still file a quarterly report.**

Enclosed you will find a Lobbying Firm Quarterly Report (Form LOB 7) that you must file. You must also attach a Lobbyist Quarterly Report (Form LOB 6) for each partner, owner, officer, or employee of the firm who is a registered lobbyist.

NOTE: In the event you wish to terminate your organization's registration, you may do so by checking the box on the front page of the Form LOB 7 under Part I - Notice of Termination. However, if you only want to terminate the registration of an in-house employee, you must file an Amendment to Registration Statement (Form LOB 5) with this office.

The ordinance requires a \$15.00 fee to accompany the quarterly report(s). If paying by check, please make it payable to Los Angeles County.

The lobbyist registration ordinance authorizes a \$250 fine for late filings. **We strongly urge you to file your quarterly report by the February 2, 2004 deadline.**

Enclosed are the forms you require based on your filing status. The forms must be **originally signed and mailed via the U.S. mail or other delivery services**. The report is not acceptable if it is filed via fax equipment. If you have questions or need additional forms, please call George Britton of my staff at (213) 974-1093.

JM:gb
Enclosures



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VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
(213) 974-1411

February 13, 2004

Mr. David Barberis
PS Eco Inc.
430 Colorado Ave., Suite 401
Santa Monica, CA 90401

Dear Mr. Barberis:

QUARTERLY REPORTS

By memo dated December 19, 2003, you were notified that, as a lobbying firm or as a lobbyist employer, you are required to file a quarterly activity report by February 2, 2004. Your quarterly report has not been received.

Chapter 2.160, Section 2.160.140 of the Los Angeles County code imposes a \$250 fine for the late filing of the quarterly reports, in addition to the \$15 reporting fee. In order to avoid the \$250 penalty please file your quarterly report with our office by **Monday, March 1, 2004.**

Should you have any questions concerning this matter please contact me at (213) 974-1405 or George Britton of my staff at (213) 974-1093.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John McKibben", is written over a horizontal line.

JOHN McKIBBEN
DEPUTY EXECUTIVE OFFICER

JM:gb

j:\lobbyist\lobbyist\letters\2004\feb - notice to file



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

383 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

Attachment - C

MEMBERS OF THE BOARD

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VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
(213) 974-1411

March 8, 2004

Mr. David Barberis
PS Eco Inc.
430 Colorado Ave., Suite 401
Santa Monica, CA 90401

Dear Mr. Barberis:

QUARTERLY REPORT

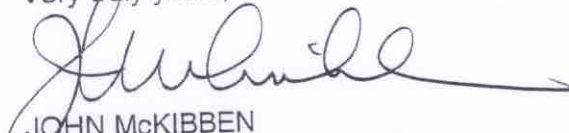
According to our records, your lobbyist quarterly report for the period of October 1, 2003 through December 31, 2003 has not been filed with this office.

Our initial letter that accompanied your forms and explained your filing obligation was sent to you on December 19, 2003. On February 13, 2004, we again informed you of the filing requirements and that a fine of \$250 would be imposed if your quarterly report was not filed in this office by March 1, 2004.

Please remit to this office, by **Monday, March 22, 2004** a check or money order in the amount of \$250, made payable to the County of Los Angeles. You must still submit your quarterly report with the \$15 filing fee by that same date.

If we do not receive your quarterly report, filing fee, and payment of fine by **Monday, March 22, 2004**, you may be subject to further penalties, including an additional fine of up to \$2,000. We urge you to act immediately. Should you have any questions concerning this matter, please call me at (213) 974-1405 or George Britton at (213) 974-1093.

Very truly yours,


JOHN McKIBBEN
DEPUTY EXECUTIVE OFFICER

7003 3110 0000 3741 9410

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Total Postage & Fee

Mr. David Barberis

Sent To

PS Eco Inc.

Street, Apt. No.,
or PO Box No.

430 Colorado Ave., Suite 401

City, State, ZIP+4

Santa Monica, CA 90401

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. David Barberis
 PS Eco Inc.
 430 Colorado Ave., Suite 401
 Santa Monica, CA 90401

2. Article Number
 (Transfer from service label)

7003 3110 0000 3741 9410

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**PS ECO, INC.
QUARTERLY REPORT OCTOBER – DECEMBER 2003
RECORD OF CONTACT**

Memo dated December 19, 2003 informing all lobbying firms, including Mr. David Barberis of PS Eco, Inc. that they must file a quarterly report for October through December 2003.

Follow-up letter dated February 13, 2004, notifying Mr. Barberis that the company's quarterly report had not been received and must be filed by March 1, 2003.

Telephone call on March 2, 2003 from the Executive Office staff to Mr. Barberis. He said the report would be filed before Friday, March 5, 2003.

Certified letter dated March 8, 2004, notifying Mr. Barberis that PS Eco, must pay the fine and file its report by March 22, 2004.

A telephone call was made on March 25, 2004 to Mr. Barberis of PS Eco. A voice mail message was left explaining that the report, filing fee, and fine must be received in our office before the close of business on Friday, March 26, 2004 or civil action in the amount of \$2000 would be imposed against PS Eco.